

Exhibit 2

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11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

13 JUMP OPERATIONS, LLC,

14 Plaintiff,

15 v.

16 RICHARD WRIGHT MERRYMAN,

17 Defendant.

Case No.: 2:22-cv-00575-GMN-DJA

**DECLARATION OF JONATHAN
MARCUS IN SUPPORT OF
EMERGENCY MOTION FOR
TEMPORARY RESTRAINING
ORDER WITHOUT NOTICE IN
ANTICIPATION OF FUTURE
REQUEST FOR PRELIMINARY
INJUNCTION**

19
20 I, Jonathan Marcus, hereby declare as follows:

21 1. I am employed as a software engineer for Plaintiff Jump Operations, LLC
22 (“Jump”). I have held this position since April 2021. I am over 18 years of age, and I have
23 personal knowledge of the facts set forth below.

24 2. Jump is actively involved in the continued development and growth of a
25 blockchain project called the “Wormhole Network.”

26 3. In June 2021, I was instructed to try to purchase the domain name
27 <wormhole.com> (the “Wormhole Domain”) on behalf of Jump for use in connection with
28 the Wormhole Network. At the time, the Wormhole Domain resolved to a webpage with

1 a single graphic and text stating, “THIS WEB SITE OFFERS NO SERVICES TO THE
2 PUBLIC.”

3 4. Through DomainAgents, an online service that facilitates the sale and
4 purchase of domain names, I made an offer on June 29, 2022, to purchase the Wormhole
5 Domain for \$2,500.

6 5. On July 1, 2021, I received notice from DomainAgents that the owner of
7 the Wormhole Domain responded. He turned down my initial offer and countered with
8 a “firm” offer of \$50,000. On behalf of Jump, I accepted the offer through DomainAgents
9 on July 1, and the status of the negotiation history report on the DomainAgents platform
10 switched to “Agreement Reached.”

11 6. Attached as Exhibit 12 to Plaintiff’s Motion for Temporary Restraining
12 Order Without Notice in Anticipation of Future Request for Preliminary Injunction (the
13 “Motion”) is a true and correct copy of an email I received from DomainAgents on July
14 1, 2021.

15 7. Attached as Exhibit 13 to the Motion is a true and correct copy of
16 correspondence received by Jump’s in-house counsel, James Medek from Domain Agents
17 on July 21, 2021. Within that email string are true and accurate copies of the messages
18 I exchanged with Richard Merryman through the DomainAgents platform. Also copied
19 within that email string is an exchange of email correspondence between myself and
20 DomainAgents between July 12, 2021, and July 20, 2021, through which I learned that
21 the seller (Merryman) was refusing to honor the agreed-upon price and close the
22 transaction.

23 8. Attached as Exhibit 14 to the Motion is a true and correct copy of a letter
24 that Jump’s in-house counsel sent to Defendant Merryman on July 21, 2021. Jump never
25 received a response to that letter.

26 9. Attached as Exhibit 15 to the Motion is a true and correct copy of a screen
27 shot I captured on April 4, 2022, after logging into my account on the DomainAgents
28 platform, which records that an agreement for the Wormhole Domain was reached.

1 10. The Wormhole Network project has been publicly disclosed, and widely
2 publicized. As such, Jump is committed to maintaining the "Wormhole" domain and the
3 goodwill associated with that name. Jump strongly desires the Wormhole Domain
4 because it is an exact match for the name of the Wormhole Network project, and Jump
5 places significant value in the Wormhole Domain. Based on Defendant Merryman's
6 actions to date (entering into a sales transaction and then backing out in an effort to get
7 more money), Jump is concerned that Merryman will cause further harm to Jump by
8 transferring the domain name to a third party with whom Jump does not have an
9 agreement.

11 I declare under penalty of perjury that the foregoing is true and correct.

12 Executed April 4, 2022, in New York, New York.

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15 Jonathan Marcus
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